IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.42 2005
IN
SUMMARY SUIT NO.3533 OF 2004

Laxmi K. Bhatia ....Plaintiff
V/s.
Avon Fashion House & Ors. ....Defendants

Mr.Bharat Joshi for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover the amounts due in respect of five bills of exchange drawn by Defendant No.1 and accepted by Defendant No.3. Defendant No.2 is the partner of Defendant No.1.

2. There is no reply to the Plaintiff's notice of demand. The affidavit in reply discloses no defence whatsoever. The very fact that the first Defendant firm had allegedly discontinued its business in 1999 does not absolve them of liability, as no notice as required under the provisions of the Indian Partnership Act has been given. Thus there is no defence to the suit.

3. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

4. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed with costs.

. Refund as per rules.